

ARKANSAS SUPREME COURT

No. CR 98-1167

NOT DESIGNATED FOR PUBLICATION

RICKY LEE SCOTT
Petitioner

v.

STATE OF ARKANSAS
Respondent

Opinion Delivered

January 4, 2007

PRO SE MOTION FOR
RECONSIDERATION OF DENIAL OF
PETITION TO REINVEST
JURISDICTION IN THE TRIAL
COURT TO CONSIDER A PETITION
FOR WRIT OF ERROR *CORAM NOBIS*
[CIRCUIT COURT OF CROSS
COUNTY, CR 96-61]

MOTION DENIED

PER CURIAM

A jury found petitioner Ricky Lee Scott guilty of murder in the first-degree and sentenced him to life imprisonment in the Arkansas Department of Correction. This court affirmed the judgment. *Scott v. State*, 337 Ark. 320, 989 S.W.2d 891 (1999). Petitioner had filed a number of requests for postconviction relief, none of which were ultimately successful. *See Scott v. State*, 355 Ark. 485, 139 S.W.3d 511 (2003); *Scott v. State*, CR 06-10 (Ark. Jan. 26, 2006) (*per curiam*). Most recently, petitioner filed a *pro se* petition requesting this court to reinvest jurisdiction in the trial court to consider a petition for writ of error *coram nobis*.¹ We denied the petition. *Scott v. State*, CR 98-1167 (Ark. Oct. 12, 2006) (*per curiam*). Petitioner now brings the motion before us

¹For clerical purposes, the petition to reinvest jurisdiction in the trial court to consider a petition for writ of error *coram nobis* was assigned the same docket number as the direct appeal of the judgment.

requesting that we reconsider our decision on his petition.

Petitioner alleges that he has newly discovered evidence in the form of documents concerning an investigation of one of the police officers who was involved in the murder investigation on charges of improper conduct with female prisoners. Petitioner asserts that this documentation shows that the prosecution withheld evidence and that the judgment against him would not have been rendered. There is no indication in petitioner's motion, however, that this documentation provides any more in support of his petition than what was alleged in his petition.

Petitioner alleges that the documents detail the officer's involvement in the scandal and show that the prosecutor and two of the investigating officers colluded to present false and fabricated evidence and withhold information concerning the officer's investigation for misconduct. He does not disclose what may be contained in the document that would support these conclusory allegations. We previously considered petitioner's assertion that information concerning the officer's misconduct was withheld. Counsel for petitioner at trial had strongly challenged the evidence gathered by the investigating officers; it is not clear that any further impeachment concerning the misconduct investigation would have been any more persuasive. Petitioner does not provide us with facts that support his claim of collusion between the prosecution and the officers.

Once again, petitioner has not stated facts to support his allegations. Because petitioner has failed to show any reason for us to reconsider our previous decision, his motion is denied.

Motion denied.